



State of Wisconsin  
1997 - 1998 LEGISLATURE

LRBa0912/1  
MGG;jlg:ijs

**SENATE AMENDMENT 1,  
TO 1997 SENATE BILL 285**

November 12, 1997 – Offered by COMMITTEE ON AGRICULTURE AND ENVIRONMENTAL  
RESOURCES.

- 1           At the locations indicated, amend the bill as follows:
- 2           **1.** Page 5, line 3: delete lines 3 to 5.
- 3           **2.** Page 5, line 14: delete lines 14 to 17.
- 4           **3.** Page 6, line 6: delete the material beginning with that line and ending with  
5 page 7, line 3.
- 6           **4.** Page 7, line 22: delete the material beginning with that line and ending with  
7 page 8, line 4.
- 8           **5.** Page 8, line 23: delete that line.
- 9           **6.** Page 10, line 5: delete lines 5 to 12.
- 10          **7.** Page 10, line 20: delete the material beginning with that line and ending  
11 with page 11, line 3.

1           **8.** Page 12, line 23: delete the material beginning with that line and ending  
2 with page 13, line 7.

3           **9.** Page 14, line 9: delete “*age 19*” and substitute “*legal drinking age*”.

4           **10.** Page 14, line 9: delete “age of 19” and substitute “legal drinking age, as  
5 defined in s. 125.02 (8m),”.

6           **11.** Page 16, line 15: delete the material beginning with that line and ending  
7 with page 17, line 9, and substitute:

8           “**SECTION 57m.** 30.80 (6) (a) of the statutes is amended to read:

9           30.80 **(6)** (a) *Penalties related to prohibited operation of a motorboat;*  
10 *intoxicants; refusal.* 1. Except as provided under subds. 2. ~~and 3. to 5.~~, a person who  
11 violates s. 30.681 (1) (a) or (b), a local ordinance in conformity with s. 30.681 (1) (a)  
12 or (b) or 30.684 (5) the refusal law shall forfeit not less than \$150 nor more than \$300.

13           2. Except as provided under subd. 3., a A person who violates s. 30.681 (1) (a)  
14 or (b), a local ordinance in conformity with s. 30.681 (1) (a) or (b) or 30.684 (5) the  
15 refusal law and who, within 5 years prior to the arrest for the current violation, was  
16 convicted one time previously under the intoxicated boating law or the refusal law  
17 shall be fined not less than \$300 nor more than \$1,000 and shall be imprisoned for  
18 not less than 5 days nor more than 6 months.

19           3. A person who violates s. 30.681 (1) (a) or (b), a local ordinance in conformity  
20 with s. 30.681 (1) (a) or (b) or 30.684 (5) the refusal law and who, within 5 years prior  
21 to the arrest for the current violation, was convicted ~~2 or more~~ times previously under  
22 the intoxicated boating law or refusal law shall be fined not less than \$600 nor more  
23 than \$2,000 and shall be imprisoned for not less than 30 days nor more than one year  
24 in the county jail.

1           **SECTION 58m.** 30.80 (6) (a) 4. and 5. of the statutes are created to read:

2           30.80 **(6)** (a) 4. A person who violates s. 30.681 (1) (a) or (b), a local ordinance  
3 in conformity with s. 30.681 (1) (a) or (b) or the refusal law and who, within 5 years  
4 prior to the arrest for the current violation, was convicted 3 times previously under  
5 the intoxicated boating law or refusal law shall be fined not less than \$600 nor more  
6 than \$2,000 and shall be imprisoned for not less than 60 days nor more than one year  
7 in the county jail.

8           5. A person who violates s. 30.681 (1) (a) or (b), a local ordinance in conformity  
9 with s. 30.681 (1) (a) or (b) or the refusal law and who, within 5 years prior to the  
10 arrest for the current violation, was convicted 4 or more times previously under the  
11 intoxicated boating law or refusal law shall be fined not less than \$600 nor more than  
12 \$2,000 and shall be imprisoned for not less than 6 months nor more than one year  
13 in the county jail.

14           **SECTION 58p.** 30.80 (6) (a) 6. of the statutes is created to read:

15           30.80 **(6)** (a) 6. A person who violates s. 30.681 (1) (bn) or a local ordinance in  
16 conformity with s. 30.681 (1) (bn) shall forfeit \$50.

17           **SECTION 58t.** 30.80 (6) (c) of the statutes is amended to read:

18           30.80 **(6)** (c) *Calculation of previous convictions.* In determining the number  
19 of previous convictions under par. (a) 2. ~~and 3.~~ to 5., convictions arising out of the  
20 same incident or occurrence shall be counted as one previous conviction.”.

21           **12.** Page 21, line 1: delete the material beginning with “The” and ending with  
22 “subsection.” on line 3 and substitute “The amendment of section 30.80 (6) (a) of the  
23 statutes and the creation of section 30.80 (6) (a) 4. and 5. of the statutes first apply

1 to violations committed on the effective date of this subsection, but do not preclude  
2 the counting of previous convictions for sentencing a person.”.

3 **13.** Page 21, line 8: delete lines 8 to 14 and substitute:

4 “(1m) CERTIFICATE OF NUMBERS FOR BOATS OWNED BY DEALERS OR MANUFACTURERS.  
5 The treatment of sections 30.505, 30.52 (3) (im) and (5) (a) 3. and 30.523 (2) (c) and  
6 (3) of the statutes takes effect on the April 1 after publication.”.

7 **14.** Page 21, line 19: delete the material beginning with “30.80 (6) (a) 4.” and  
8 ending with “takes” and substitute “30.80 (6) (c) and 885.235 (1m) and (4) of the  
9 statutes, the amendment of section 30.80 (6) (a) of the statutes, the creation of section  
10 30.80 (6) (a) 4., 5. and 6. of the statutes and SECTION 69 (1) of this act take”.

11 (END)